

Amendments

In the Drawings:

Please replace Fig. 1 with Replacement Sheet illustrating amended Fig. 1 which includes the legend "Prior art" in accordance with the Examiner's objection.

Remarks

Receipt is acknowledged of the Office Action mailed September 6, 2005. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendment, attached terminal disclaimer and the remarks which follow. Applicant wishes to express appreciation to the Examiner for the acknowledgement of the filed priority papers which have been placed of record in the file and for the consideration of the Information Disclosure Statement filed March 16, 2005. In addition, Applicant wishes to express appreciation to the Examiner for the indication that claims 5-8 would be allowable if re-written in independent form including all of the limitations of their base claim and any intervening claim.

A replacement sheet for Sheet 1 of the drawings is attached, in which Figure 1 has been corrected.

Claims 1-8 are pending in this application.

Double Patenting

Claims 1-4 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,920,073 in view of Nagase (U.S. Patent No. 5,373,475). In accordance with the Examiner's statement that a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a non-statutory double patenting ground, Applicant submits the attached terminal disclaimer. Consequently, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-4. In addition, in light of the Examiner's indication that claims 5-8 are objected to as being dependent upon a rejected base claim, Applicant submits that pending claims 1-8 are now in condition for allowance.

CONCLUSION

In view of the above amendment and remarks, applicant respectfully requests that all objections and rejections be withdrawn and that a notice of allowance be

forthcoming. The Examiner is invited to contact the undersigned attorney for applicant at 202-912-2160 for any reason related to the advancement of this case.

Date: 12/2/05

Heller Ehrman LLP
1717 Rhode Island Avenue, N.W.
Washington, D.C. 20036-3001
Telephone: (202) 912-2000
Facsimile: (202) 912-2020

Respectfully submitted,



Stephen D. Huang
Attorney for Applicant
Reg. No.: 45,304

Customer No. 26633